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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In Re:

No. 09-23427 - TTG

TIMOTHY B. BENDOKAS aka TIM  
BENDOKAS and HEIDI BENDOKAS aka  
HEIDI HEILAND BENDOKAS,

Debtor.

**EX PARTE MOTION FOR  
ORDER FOR RULE 2004  
EXAMINATION**

**Noted for consideration on:  
April 28, 2010**

Pursuant to Rule 2004, Federal rules of Bankruptcy Procedure, interested party JEFFREY BENDOKAS respectfully requests that the court enter an Order authorizing him, by and through his attorney of record Jeffrey C. Wishko of Bell & Ingram, P.S., to conduct an examination at a mutually convenient date, time and place, as follows:

1. Witness to be examined: Timothy B. Bendokas aka Tim Bendokas
2. Date: May 14, 2010
3. Time: 8:30 a.m.
4. Place: Bell & Ingram, P. S., 2918 Colby Ave., Suite 201, Everett WA

Jeffrey Bendokas is brother of Timothy B. Bendokas, and the current Personal Representative and beneficiary of the estate of Elizabeth Bendokas, the debtor's mother.

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LAW OFFICES OF  
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1 Timothy B. Bendokas was the former Personal Representative of the Estate of Elizabeth  
2 Bendokas.

3 5. Scope of Examination: Timothy B. Bendokas will be examined about  
4 his actions shortly before he became Personal Representative of the Estate of Elizabeth  
5 Bendokas, and his handling of said estate after he was appointed Personal  
6 Representative. The examination will include but not be limited to questions regarding:  
7

- 8 (a) Timothy B. Bendokas' personal financial records for 2008, 2009  
9 and 2010;
- 10 (b) Bendokas Painting Co., Inc.'s financial records for 2008, 2009  
11 and 2010;
- 12 (c) Financial records for Elizabeth Bendokas before she died;
- 13 (d) Financial records for the Estate of Elizabeth Bendokas;
- 14 (e) Bendokas Painting Co., Inc.'s multiple Promissory Notes given to  
15 the Estate of Elizabeth Bendokas;
- 16 (f) Timothy B. Bendokas' administration of the Estate of Elizabeth  
17 Bendokas.

18 6. Documents to be Produced:

19 (a) All financial records of the Debtor, Bendokas Painting Co., Inc.,  
20 Elizabeth Bendokas and the Estate of Elizabeth Bendokas in Timothy Bendokas'  
21 possession or control. "Financial records" means any and all general ledgers;  
22 transaction ledgers organized by project or account; financial statements; bank  
23 statements; balance sheets; invoices; check registers; correspondence; telephone  
24 memoranda; emails; all reports that can be generated from any accounting software;

25  
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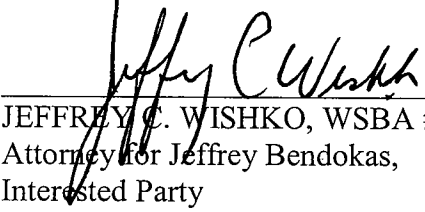
1 account statements from all accounts Debtor asserts are exempt, including but not  
2 limited to 401k accounts, individual retirement accounts, trusts, and insurance policies;  
3 tax returns; and any and all other documents or records, whether in written or electronic  
4 form, that track, document or identify any payment or receipt of any monies or other  
5 property, any income or expense or any assets or liabilities.

6  
7 (b) A list of all monies distributed from Elizabeth Bendokas and the  
8 Estate of Elizabeth Bendokas commencing in 2007 to the present date, including the  
9 name of any such payee, the payee's address/phone, and the consideration for such  
10 payment(s).

11 Dated: April 28, 2010

12 BELL & INGRAM, P.S.

13  
14 By:

  
JEFFREY C. WISHKO, WSBA #12885  
Attorney for Jeffrey Bendokas,  
Interested Party

15  
16  
17  
18 **PROOF OF SERVICE**

19 I, Linda M. Velia, declare under penalty of perjury of the laws of the State of  
20 Washington that on April 28, 2010, I did e-file the attached Motion for Ex Parte Order  
21 Re: 2004 Examination in the above entitled case and caused the same to be  
22 electronically transmitted via email, or mailed by U.S. first class mail, postage prepaid,  
or delivered via ABC Legal Messengers, Inc., to the following parties:

23 Clerk of the Court  
24 Virginia Burdette, Trustee  
U.S. Trustee

[vlaburdette@seanet.com](mailto:vlaburdette@seanet.com)  
[USTPRegion18.SE.ECF@usdoj.gov](mailto:USTPRegion18.SE.ECF@usdoj.gov)

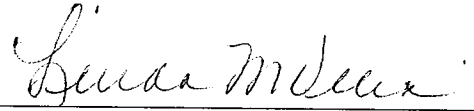
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6 GE Money Bank  
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7 Recovery Management Systems Corp.  
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8 Miami FL 33131-1605

9 Litton Loan Servicing, L.P.  
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10 Bankruptcy Department  
11 1544 Old Alabama Road  
Roswell GA 30076



Linda M. Velia

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